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Attorney Docket No.: 021378-000110US

Assistant Commissioner for Patents

Washington, D.C. 20231 On September 5, 2002

TOWNSEND and TOWNSEND and CREW LLP

COPY OF PAPERS ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SULLIVAN, Patrick K. et al.

Application No.: 09/662,006

Filed: September 14, 2000

For: PASSIVE PHYSIOLOGICAL MONITORING (P2M) SYSTEM

Examiner:

MALLARI, P.C.

Art Unit:

3736

SUPPLEMENTAL INFORMATION **DISCLOSURE STATEMENT UNDER 37**

CFR §1.97 and §1.98

Assistant Commissioner for Patents Washington, D.C. 20231

RECEIVED SEP 1 3 2002

Sir:

TECHNOLOGY CENTER R3700

The reference cited on attached form PTO/SB/08B is being called to the attention of the Examiner. A copy of the reference is enclosed. It is respectfully requested that the cited reference be expressly considered during the prosecution of this application, and the reference be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed after the mailing date of the first Office Action and more than three months after the filing date, but prior to the Notice of Allowance or Final Office Action.

Please deduct \$180.00, pursuant to 37 CFR §1.17(p), from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Scott M. Smith Reg. No. 48,268

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 Tel: 650-326-2400

Fax: 650-326-2422

SMS:bjl

PA 3211674 v1



September 5, 2002

GP-3736

0213021378(08-00) Approved for use through 10/31/2002. OMB 0651-0031 Please type a plus sign (+) insid this box U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE der the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/662,006 TRANSMITTAL Filing Date September 14, 2000 **FORM** PANEN SULLIVAN, PATRICK K. **First Named Inventor** (to be used for all correspondence after initial filing) 3736 **Group Art Unit Examiner Name** MALLARI, P. Total Number of Pages in This Submission **Attorney Docket Number** 021378-000110US ENCLOSURES (check all that apply) After Allowance Communication to Assignment Papers Fee Transmittal Form (for an Application) Group Appeal Communication to Board of Fee Attached ☐ Drawing(s) Appeals and Interferences Appeal Communication to Group Amendment / Reply Licensing-related Papers (Appeal Notice, Brief, Reply Brief) Petition After Final Proprietary Information Petition to Convert to a Affidavits/declaration(s) _ Status Letter **Provisional Application** Power of Attorney, Revocation Other Enclosure(s) Extension of Time Request Change of Correspondence Address (please identify below): Terminal Disclaimer Return Postcard Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) The Commissioner is authorized to charge any additional fees to Certified Copy of Priority Remarks Deposit Account 20-1430. Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 TECHNOLOGY CENTER H3700 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Townsend and Townsend and Crew LLP Firm Reg. No. 48,268 Scott M. Smith Individual name Signature Date September 5, 2002 **CERTIFICATE OF MAILING** I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 2023 Lon this date: September 5, 2002 Kimberly Badiei Typed or printed name

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PTO/SB/17 (11-01)

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TEE TO AMOUNT AL	Complete if Known					
FEE TRANSMITTAL	Application Number	09/662,006				
for FY 2002	Filing Date	September 14, 2000	RECEIVED			
Patent fees are subject to annual revision.	First Named Inventor	SULLIVAN, PATRICK K.				
Applicant claims small entity status. See 37 CFR 1.27	Examiner Name	MALLARI, P.	SEP 1 3 200 ₂			
	Group Art Unit	3736	TECHNOLOGY CENTER R3700			
TOTAL AMOUNT OF PAYMENT (\$) 180	Attorney Docket No.	021378-000110US	H3/00			

METHOD OF PAYMENT (check all that apply)						FEE CALCULATION (continued)							
Check Credit Card MoneyOrder Other None						3. ADDITIONAL FEES							
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Deposit Account Townsend and Townsend and Crew LLP							139	130	139	130	Non-English specification		
Name							147	2,520	147	2,520	For filing a request for reexamination		
The Commissioner is authorized to: (check all that apply)							112	920°	112	920*	Requesting publication of SIR prior to		
Charge fee(s) Indicated below Credit any overpayments						440	4.040*	440	4 0400	Examiner action	I		
Charge any additional fee(s) during the pendency of this application							113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		
Charge fee(s) indicated below, except for the filing fee						115	110	215	55	Extension for reply within first month			
to the above-identified deposit account.							116	400	216	200	Extension for reply within second		
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1. B	ASIC F	ILING F	EE	· · · · · ·				117	920	217	460	Extension for reply within third month	
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	Fee	Fee	Fee	— Fee Desci	ription			128	1,960	228	980	Extension for reply within fifth month	
	(\$)	Code	(\$)			Fee Paid		119	320	219	160	Notice of Appeal	
101	740	201	370	Utility filing	j fee		-	120	320	220	160	Filing a brief in support of an appeal	
	330	206	165	Design filir	_	<u></u>	-	121	280	221	140	Request for oral hearing	
	510 740	207 208	255 370	Plant filing Reissue fil			\dashv	138	1,510	138	1,510	Petition to institute a public use proceeding	
114	160	214	80	Provisiona	-		7	140	110	240	55	Petition to revive - unavoidable	
		•			_		_	141	1,280	241	640	Petition to revive - unintentional	
SUBTOTAL (1) (\$)						142	1,280	242	640	Utility issue fee (or reissue)			
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Fees from Extra Claims below Fee Paid								122	130	122	130	Petitions to the Commissioner	
Total Claims -20** =]	123	50	123	50	Petitions related to provisional applications			
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Multiple Depend	ent L		ı	-	X ==]	581	40	581	40	Recording each patent assignment per property (times number of properties)	
Large E	Entity	Small	Entity					146	740	246	370	Filing a submission after final rejection	
Fee	Fee	Fee	Fe		e Description							(37 CFR § 1.129(a))	
Code	(\$)	Code	(\$)	_				149	740	249	370	For each additional invention to be	
103	18	203			Claims in excess of 20 examined (37 CFR § 1.129(b)) Independent claims in excess of 3 179 740 279 370 Request for Continued Examination		Request for Continued Examination	$\vdash \vdash \vdash \vdash$					
102 104	84 280	202 204	14		dependent claims ii ultiple dependent cl		id	''	, 40	-''		(RCE)	
109	84	209		-	Reissue independe over original patent	ent claims	~	169 900 169 900 Request for expedited examination of a design application					
110	18	210		9	Reissue claims in e and over original p	excess of 20		Other fee (specify)					
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**or number previously paid, if greater; For Reissues, see above						Neurole	uy was	y	, 55 ; 61	332.3172(3)			
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SUBMITTED BY		Co	Complete (if applicable)			
Name (Print/Type)	Scott M. Smith	Registration No. (Attorney/Agent)	48,268	Telephone	650-326-2400	
Signature	Amon	m		Date	September 5, 2002	

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